

REMARKS

Claims 1 through 28 are currently pending in the application, claim 28 being newly added with this amendment.

This amendment is in response to the final Office Action of April 5, 2005.

**Double Patenting Rejection Based on U.S. Patent 6,326,238**

Claims 1 through 27 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 3 of U.S. Patent 6,326,238. In order to avoid further expenses and time delay, Applicant elects to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicant's filing of the terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

Applicant submits that claims 1 through 28 are clearly allowable over the cited prior art.

Applicant requests the allowance of claims 1 through 28 and the case passed for issue.

Respectfully submitted,



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